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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,130	07/31/2003	Tz-Cheng Chiu	TI-35061 (1962-07300)	2476

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EXAMINER

LEE, CALVIN

ART UNIT	PAPER NUMBER
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2825

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,130

Applicant(s)

CHIU, TZ-CHENG

Examiner

Lee Calvin

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-24 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

OFFICE ACTION

Election/Restriction

1. Claims 1-24 are pending in this application.

Restriction to one of the following inventions is required under *35 U.S.C. 121*:

(I) Claims 1-10, drawn to an apparatus comprising a composite lid for a semiconductor package, classified in class 713, subclass 500.

(II) Claims 11-18, drawn to a method of assembling a semiconductor die in a package, classified in class 438, subclass 108.

(III) Claims 19-24, drawn to a packaged semiconductor device comprising an integrated die and a composite lid in a semiconductor package, classified in class 257, subclass 705.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, and III are related as apparatus, process of making, and a product made, respectively. The inventions are distinct if it can be shown that either or all of the following can be shown: (1) the apparatus as claimed can be used to practice another and materially different process, (2) the process as claimed can be practiced by another materially different apparatus, (3) the process as claimed can be used to make other and materially different product, (4) the product as claimed can be made by another and materially different process, (5) the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product, (6) the product as claimed can be made by another and materially different apparatus. (MPEP § 806.05(e),(f),(g), respectively). In the instant case, unpatentability of one group invention would not necessarily imply unpatentability of any other group invention. For example, the composite lid (comprising two materials of different modulus of elasticity) can be found at any part of a semiconductor package, not restrict to the back surface of the integrated circuit die; or that the composite lid is deposited on any part of the package, not necessarily apply an attach compound (some form of the composite lid) to a perimeter of the package.

Because these inventions are distinct for the reasons given above (a separate status in the art as shown by their different classification, their recognized divergent subject matter, and lastly a search required for any one Group being not required for other Groups), restriction for examination purposes as indicated is proper.

3. Applicant is advised that the reply to this requirement to be completed must include an election of the invention to be examined even though the requirement is traversed (37CFR 1.143)

Contact Information

4. Any inquiry concerning this communication from the Examiner should be directed to *Calvin Lee* at (571) 272-1896 from 7:00 to 17:00 (Monday-Thursday). If attempts to reach the examiner by telephone are unsuccessful, Art Unit 2825's Supervisory Patent Examiner *Matthew Smith* can be reached at (571) 272-1907.

Any inquiry relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0596. The fax phones are (703) 872-9318 for regular communications and (703) 872-9319 for After-Final communications.

CL

February 25, 2004.

C. Everhart
CARIDAD EVERHART
PRIMARY EXAMINER